

Article 05

Multiple Family Residential Districts

Section 05.01 Intent

- (a) **R2A Townhouse Residential District.** The R2A Townhouse Residential District is established to allow development of attached single family dwellings with common side walls. This district may be utilized for infill development in cities and may also apply to unincorporated areas that are identified in the County Land Development Plan for planned urban expansion adjacent to cities, if community sewer and community services are available. Onsite cluster systems may also be a permitted option for community wastewater treatment in unincorporated areas. Certain other institutional, social and recreational uses are also permitted in this district, such as schools, child care and recreational uses. The intent is to maintain or create walkable, pedestrian-oriented neighborhoods. In cities, development within this district should be of a form and character consistent with the established historic character of the community.
- (b) **R2B Townhouse Residential District.** The R2B Townhouse Residential District is established to allow development of higher density attached single family dwellings with common side walls. This district is intended for infill development in cities only and is not intended for unincorporated areas of the county. Certain other institutional, social and recreational uses are also permitted in this district, such as schools, child care and recreational uses. The intent is to maintain and enhance traditional, walkable, pedestrian-oriented neighborhoods and to provide for urban infill development that is of a form and character consistent with established historic character of the community.
- (c) **R3A Low-Rise Multiple Family Residential District.** The R3A Low-Rise Multiple Family Residential District is established to allow development of moderate density apartment style multiple family development as well as townhouse development. This district may also apply to unincorporated areas that are identified in the County Land Development Plan for planned urban expansion adjacent to cities, if community sewer and community services are available. Onsite cluster systems may also be a permitted option for community wastewater treatment in unincorporated areas. Certain other institutional, social and recreational uses are also permitted in this district, such as schools, child care and recreational uses. The intent is to maintain or create walkable, pedestrian-oriented neighborhoods. In cities, development under this district should be of a form and character consistent with established historic character of the community.
- (d) **R3B High-Rise Multiple Family Residential District.** The R3A High-Rise Multiple Family Residential District is established to allow development of higher density apartment style multiple family development as well as townhouse development. This district is intended for infill development in cities only and is not intended for unincorporated areas of the county. Certain other institutional, social and recreational uses are also permitted in this district, such as schools, child care and recreational uses. The intent is to maintain and enhance traditional, walkable, pedestrian-oriented neighborhoods and to provide for urban infill development that is of a form and character consistent with established historic character of the community.

County

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Section 05.02 Uses

Use and development of land and buildings shall only be for the following specified uses, unless otherwise provided for in this Ordinance. Uses are grouped into major categories and only those uses listed under each category are permitted. Land and/or buildings in the districts indicated at the top of the Table may be used for the purposes denoted by the following abbreviations:

- P: **Permitted Use.** Land and/or buildings in this District may be used for the purposes listed by right, subject to any use limitations set forth in this ordinance.
- S: **Special Exception Use.** Land and/or buildings in this District may be used for this purpose by obtaining Special Exception approval when all applicable standards cited in Article 24 Special Exception Review Requirements and Procedures are met, subject to any use limitations set forth in this ordinance.
- : **Not Permitted.** The use is not permitted in the district. Uses not listed in the table are also not permitted. Uses that are not listed in any district of the zoning ordinance, as shown in Appendix A, may be allowed based upon a similar use determination in accordance with section 02.06.

**Table 05.02
Schedule of Permitted Uses**

Use	R2A	R2B	R3A	R3B	Use Requirements
Residential limited to the following:					
Single-family detached dwellings	P	P	P	-	14.01(a)
Two-family dwellings	P	P	P	P	14.01(a)
Single-family attached/townhouses	P	P	P	P	
Multiple-family dwellings	-	-	P	P	
Fraternity, sorority or student cooperatives	S	S	S	S	
Home occupations	P	P	P	P	14.01(a)(5)
Accessory Dwelling Units	P	P	P	P	14.01(a)(6)
Retail trade limited to the following:					
Planned neighborhood shopping centers	-	S	S	S	14.03(c)
Accommodation and food services limited to the following:					
Bed & breakfasts	S	S	S	S	14.06(a)
Health care and social assistance limited to the following:					
Day care centers, commercial/preschools	S	S	S	S	14.08(a)
Day care homes, residential licensed for 12 or fewer children	P	P	P	P	14.08(a)
Foster care homes	P	P	P	P	
Funeral homes/mortuaries	S	S	S	S	
Group homes licensed for 8 or fewer residents	P	P	P	P	
Group homes licensed for more than 8 residents	-	-	P	P	
Halfway houses	-	-	S	S	
Nursing homes and senior assisted living	S	S	S	P	14.08(c)
Philanthropic and eleemosynary institutions	-	-	S	S	
Entertainment and recreation limited to the following:					
Boat clubs	S	S	S	S	
Forestry/wildlife preserve	P	P	P	P	
Golf course and country clubs	P	P	P	P	
Parks/playgrounds	P	P	P	P	
Civic, religious, social assistance organizations limited to the following:					
Cemeteries	S	S	S	S	14.10(a)
Churches, chapels, temples, synagogues and similar places of worship	S	S	S	S	14.10(b)
Community centers	S	S	S	S	
Convents, monasteries and seminaries	S	S	S	S	

Table 05.02
Schedule of Permitted Uses

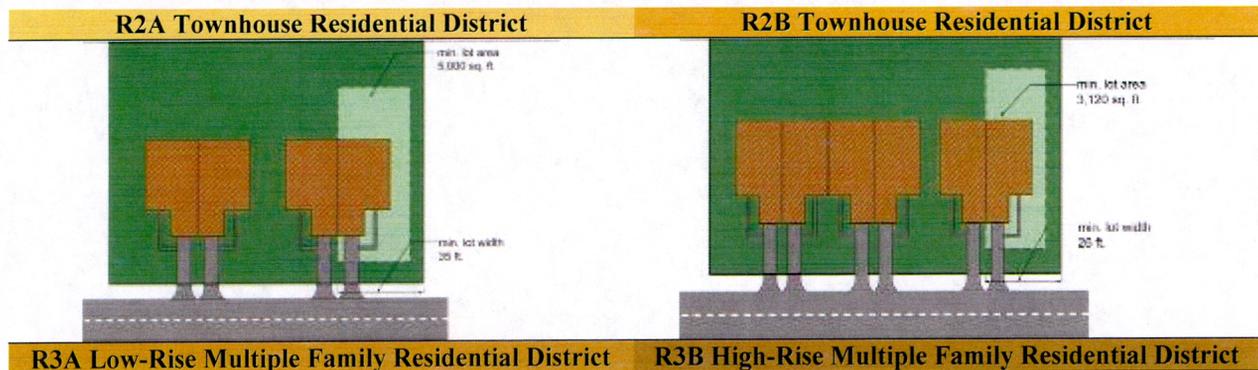
Use	R2A	R2B	R3A	R3B	Use Requirements
Educational services limited to the following:					
Colleges, universities, and accessory uses, including housing for students	S	S	S	S	
Libraries	P	P	P	P	
Schools, elementary, middle and high	P	P	P	P	
Public administration limited to the following:					
Government buildings excluding correctional facilities	P	P	P	P	
Museums, civic buildings and landmarks preserved for public inspection	P	P	P	P	
Utilities limited to the following:					
Public utility buildings	S	S	S	S	
Transmission lines for gas, oil and electricity	P	P	P	P	
Utility substations	S	S	S	S	
Single accessory wind energy conversion systems	S	S	S	S	14.15(b)
Wireless communication facility - collocation	P	P	P	P	14.15(c)
Wireless communication facility on institutional site	S	S	S	S	14.15(c)

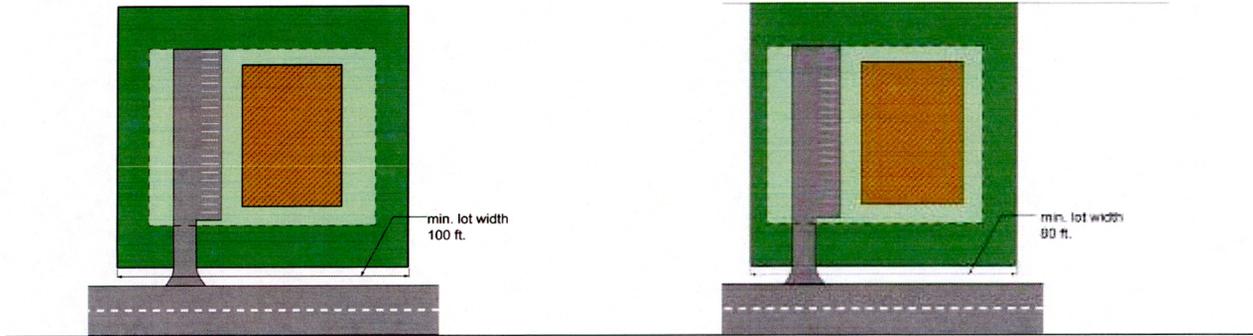
Section 05.03 Lot Area and Width Requirements

All lots shall meet the following minimum area and width requirements. No new lots shall be created or altered in a manner that does not comply with the following requirements.

Table 05.03
Lot Area And Width Requirements

District (a)(b)	Min. lot size (g)(h)(i)		
	Lot area (sq. ft.) (c)	Lot width (ft.)(d)(e)(f)	Max. res. density (units/ac.)
R2A Townhouse residential district	5,000	35	8
R2B Townhouse residential district	3,120	26	14
R3A Low-rise multiple family residential district	--	100	18
R3B High-rise multiple family residential district	--	80	30





- (a) **Subdivision of Land.** All divisions to land shall be subject to the requirements set forth in the Subdivision Regulations of La Porte County, city of La Porte or city of Michigan City, as applicable.
- (b) **Community Sewer.** All new lots created in the R2A, R2B, R3A and R3B districts must be served by community sewer. Community sewer refers to a community or municipal wastewater system. Community sewer in districts R2A and R3A may include onsite cluster wastewater treatment systems.
- (c) **Lot Area Calculation.** Lot area is calculated based upon the net area of the lot, measured in the horizontal plane, exclusive of any area that is part of a public road right-of-way, private road easement or submerged land beneath the ordinary high water mark of a lake, river or stream.
- (d) **Lot Width and Frontage.** Lot width shall be measured as a straight line between the side lot lines at the minimum front yard setback of the district. All lots shall have frontage along a public road or street. The width along the road shall be sufficient to meet the lot width requirement at the minimum front yard setback. This requirement shall not apply to individual units within a development that have access by a private road system that is internal to the development.
- (e) **Dominant Parcel.** The dominant tract or parcel from which any newly created lot has been divided from must also maintain the required lot width.
- (f) **Depth to Width Ratio.** This provision shall not apply to the unincorporated areas of LaPorte County.
- (g) **Nonconforming Lots.** Lots of record that were in existence prior to the effective date of this ordinance may be used subject to the provisions of the nonconforming lot regulations of Section 29.03.
- (h) **Single Family Detached and Two Family Lots.** Lots created for the purpose of single family detached or two family dwellings shall be required to meet the lot area and width requirements of the R1D - Single Family Residential District.
- (i) **Recreation Area.** All multiple family residential developments containing more than 40 dwelling units shall provide an active recreational area, which shall contain a common park area equal in size to 1,500 square feet per dwelling unit. The required recreation area shall be exclusive of required setbacks, buffers, greenbelts, individual lots, public rights-of-way, private road easements and stormwater management areas. The recreational park area shall be well drained, graded, seeded or sodded, safe from hazard, accessible to all dwellings, and the location shall be approved by the enforcement official. Recreational facilities such as playscapes, athletic fields, trails, picnic tables or other suitable recreation facility shall be provided within the recreation area to meet the needs of the residents.

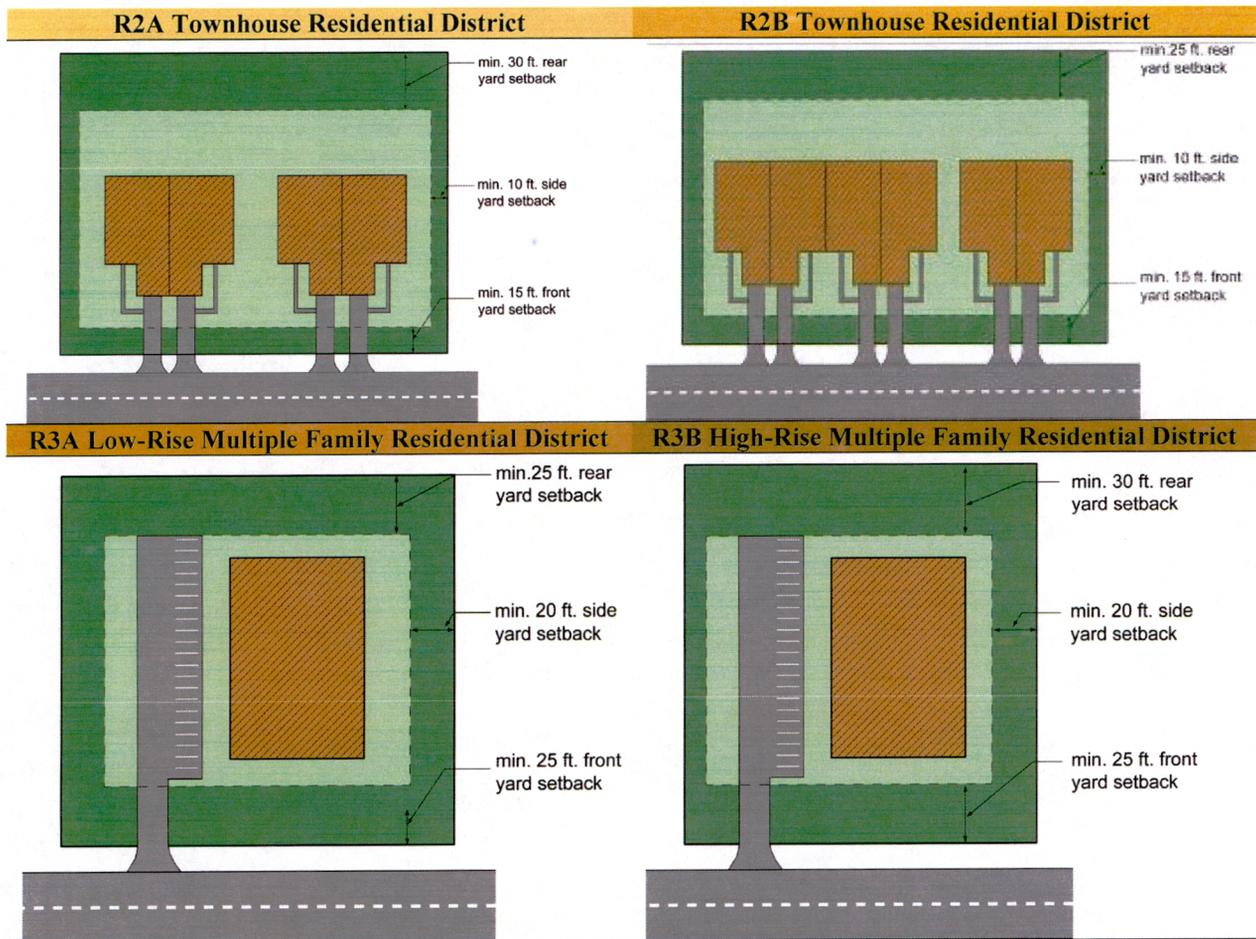
Section 05.04 Building Dimensional Requirements

All structures shall be subject to the dimensional regulations of the following table.

Table 05.04

Building Dimensional Requirements (a)(k)

District	Max. building height (b)		Min. setbacks (ft.) (c, d, e, f, g)					% Lot coverage (j)	Imper. Building surface	Min. floor area per unit (sq.ft.)
	Height (ft.)	Height (st.)	Front yard	Side yard	Total both sides	Rear yard	Waterway (h, i)			
	R2A Townhouse residential district	40	2.5	15	10	20	30	75	55%	75%
R2B Townhouse residential district	45	3.5	15	10	20	25	75	65%	85%	1000
R3A Low-rise multiple family residential district										
Townhouses	45	4	15	10	20	25	75	65%	75%	800
Multiple-family	45	4	25	20	40	25	75	55%	75%	500
R3B High-rise multiple family residential district										
Townhouses	45	4	15	10	20	25	75	65%	75%	800
Multiple-family	120	11	25	20	40	30	75	55%	75%	500



- (j) **Accessory Structures.** Accessory structures shall be regulated under the requirements of Article 16.
- (k) **Height Exceptions.** No structure shall exceed the maximum height of the district except for the allowable exceptions to the height limits contained in Section 15.04.
- (l) **Projections into Yards.** All required yard spaces shall remain as landscaped open space, except for pavement, accessory structures and architectural features that are allowed to extend or project into required setbacks under Section 15.05.
- (m) **Setback from Road.** The front yard setback shall be measured from the road right-of-way or private road easement.
- (n) **Corner Lots.** Corner lots shall provide the minimum front yard setback from both road frontages.
- (o) **Double Frontage Lots.** In all districts, where a double frontage lot backs-up to a roadway, the minimum required front or roadside setback shall be required from both road rights-of-way.
- (p) **Driveway Access.** Corner and double frontage residential lots shall only have driveway access from one road, which shall be the lesser traveled road as determined by the enforcement official.
- (q) **Wetlands.** A minimum setback of 50 feet shall be maintained from all wetlands. The setback may be adjusted according to requirements of natural resource preservation guidelines contained article 22.
- (r) **Waterway Setback.** The waterway setback shall be measured from the shoreline of the lake, river or stream. In no instance shall any structures other than docks, seawalls, retaining walls, sidewalks, boardwalks, and patios be permitted within the minimum waterway setback. The setback may be adjusted according to requirements of Natural Resource Preservation Guidelines.
- (s) **Maximum Lot Coverage.** The maximum lot coverage for buildings and impermeable surface shall be measured as follows:
 - (1) The building coverage shall be calculated as the ratio of the footprint of all buildings, including the principal building, garages and detached accessory buildings, to the net area of the lot.
 - (2) The total impermeable surface coverage shall be calculated as the ratio of the ground area covered by all buildings, accessory structures, decks, pools, pavement, parking, loading and storage areas, normal pool of wet detention basins to the net lot area.
- (t) **Single Family Detached and Two Family Lots.** Single family detached or two family dwellings shall be required to meet the dimensional requirements of the R1D - Single Family Residential District.